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"The whole power over the subject of religion is left (by the amendment) exclusively to the State governments to be acted upon according to their own sense of justice and the State constitutions; and the Catholic and the Protestant, the Calvinist and the Armenian, the Jew and the infidel may sit down at the common table of the national councils without any inquisition into their faith or mode of worship."

Turning to "an establishment of religion," there is not the slightest doubt the phrase was a term of art in the 18th century, used often by Madison, Jefferson, and other political commentators to signify—and never to signify anything else, unless the context clearly indicated otherwise—a preference of one religion over another. Extended documentation here is simply uneconomic. We may note, as one of a hundred proofs available, the *Encyclopedia Britannica's* explanation that the phrase "denotes any special connection with the State, or privileges and responsibilities before the law, possessed by one religious society to the exclusion of others; in a word, establishment is of the nature of a monopoly."

Before leaving this matter, the reader is certainly entitled to ask—How, if the case is this clear, has the Supreme Court managed to advance and maintain an utterly contrary position? Has the Court relied on some substantial piece of evidence we have omitted? The answer is, no; none that bears on the problem. From *Everson* and *McCollum* down to the *Engel* case in 1962 (the last time it deigned to discuss history), the Court has reached its secularist verdicts by—
 a) discussing the religious persecutions in Europe from which American settlers fled;
 b) citing Virginia's famous struggle against the Anglican establishment, particularly the roles of Madison and Jefferson; c) inferring from Jefferson's, and particularly Madison's, influence on the first Congress that the adoption of the Federal establishment clause was a replay of the Virginia experience. We say "inferring" with some charity because the argument is made in the absence of a single item of evidence—and in the teeth of literally pages to the contrary—that either Jefferson or Madison wished upon, or conceived himself wishing upon, the union of thirteen States the arrangement he had recommended to Virginia.¹

JUSTICE BRENNAN'S OPINION

For the sake of foreigners, we may allude to three points Justice Brennan made in his lengthy concurring opinion that bear on this analysis. Brennan, who, unlike his brethren, did not treat history as entirely irrelevant, began in a burst of candor that could not have made the other Justices happy: "It is true that the framers' immediate concern was to prevent the setting up of an official church." "But," he quickly added, "there is nothing in the text of the establishment clause that supports the view that (this) was meant to be the full extent of the prohibitions against official involvements in religion." Which is, of course, a quaint way of adducing constitutional law unless one is prepared to suggest some evidence the framers had other prohibitions in mind. Brennan ventured one suggestion—an argument by a Mr. Lardner that the clause's use of the word "religion" instead of "church" was inexplicable except as a proof that state support of religion per se was banned. The answer: the framers said "religion" because they meant to prohibit the establishment not only of a particular re-

ligious sect—i.e., a "church," but also of any particular "religion"—i.e., as Virginia did "the Christian religion."

Second, Brennan thought that even though Jefferson and Madison might be shown to favor public school prayers, the "more fruitful inquiry is whether (the prayers) tend to promote the type of interdependence between religion and state which the first amendment was designed to prevent." We may stop the Justice there: obviously the "fruitfulness" of the approach is that it assumes the answer to the very question under discussion—namely what it is the first amendment was designed to prevent.

And Brennan's third point that bears here: "Education, as the framers knew it," he said, "was in the main confined to private schools," and that is why "they gave no distinct consideration to * * * devotional exercises in public institutions." Very well; but Brennan and the rest of the Justices simply must get it through their heads that the failure of constitution makers to deal with a given subject is not a reason for courts' incorporating that subject into the Constitution, but against their doing so.

BILL OF RIGHTS

We may turn now to the majority's other proposition, the claim that the establishment clause was made binding on the States by the 14th amendment. Mercifully, the inquiry need not be extensive. We have no need to examine the general relationship of the Bill of Rights to the 14th amendment, a question that involves many considerations and would take us through nearly 40 years of Supreme Court decisions. For even if it were true that the framers of the 14th intended to make all of the rest of the Bill of Rights applicable to the States, there are two decisive reasons why such a conclusion is absurd in the case of the establishment clause.

1. We have agreed that the original establishment clause forbade "Congress (a) to establish a national church, and (b) to interfere with existing State arrangements regarding religion." Let us now, following the Supreme Court's theory of the 14th amendment, place a "State" in the shoes of "Congress," and see what we come up with. A State is now forbidden (a) to establish a national religion, and (b) to interfere with a State's—i.e., its own—arrangements regarding religion. Nor are these contradictions produced by mere logic-chopping. The way the Supreme Court has contrived to tie in the 14th amendment with the Bill of Rights in other situations is by arguing that the 14th's framers intended their word "liberty" to relate to the various "liberties" asserted by the bill, and as the latter had been protected against Federal encroachment, so they would thereafter be protected against State encroachment. But as the late Professor Corwin has pointed out, the establishment clause, unlike e.g., the right to bear arms, is not in the nature of a "liberty"; rather, it is like the 10th amendment, a delineation of the fears of Federal and State power. The only liberty the establishment clause conceivably protects is freedom from a national church; but a State is hardly in a position to jeopardize that liberty—if only for reasons of geography.

2. The other point is historical. Very often attempts to instruct the Court about the intentions of the 14th's framers must rest on the negative argument that no evidence exists that a given restriction on the States—for example, that against segregated schools—was on the framers' minds. Here, however, in addition to the negative argument (which happens to be open-go-shut), there is the positive fact that only 7 years after the 14th was ratified, a serious attempt was made to amend the Constitution by prohibiting State establishments of religion. Neither this, the famous *Blaine*

amendment which enjoyed President Grant's full endorsement, nor any of the 10 others proposed at that time on the matter of State-church connections was approved; but the fact they were proposed and earnestly debated by the 14th's contemporaries surely eliminates the possibility that the 14th was understood to have covered these matters.

And how has the Supreme Court, as Justice Clark put it, "decisively settled" this issue to the contrary? It happened in the *Everson* and *McCollum* cases, and it happened without a single word of argument.

FRAUD AND MYTH

Such, then, are the dimensions of the Supreme Court's aggression in this field. For 15 years the Court—and we may well speak bluntly—has perpetrated a fraud on the American community. It is a fraud because the community has by and large assumed, and has had the right to assume, that its highest courts have been following accepted rules of constitutional construction, and that therefore the controversy that has swirled around its conclusions is a typical product of "disagreements among lawyers." The fraud has been abetted, moreover, by a myth about the Supreme Court's function and power that has been endorsed by what appears—but I think only appears—to be a majority of the community's articulate members: the myth, namely, that "the Constitution means what the Supreme Court says it means"—the idea that no other public authority is constitutionally entitled to join the Court in interpreting the Nation's charter document. This is not the place to expose that myth against the clearly contrary ideas of the Constitution's framers and the authors of the *Federalist Papers*. It is the place, however, to suggest the community had better begin to think deeply about the myth's consequences. The defenders of religiosity in the community who were able to live with the *Everson* case because it did, after all, permit parochial school children to ride on the public buses; and who were able to live with *McCollum's* ban on religious instruction in the schools because, after all, *Zorach* soon came along and allowed the instruction to take place elsewhere on released time—the defenders are now impaled on the principles announced in those cases, and, because of the myth, find their indignant protests treated as "academic exercises."

A new amendment to the Constitution to answer the school prayer decision? I think that remedy misses the point. There are a number of objections to the amendment solution, but the critical one is that it does not meet the great public evil that increasingly sits astride our affairs: the Supreme Court's assumed power to turn the Constitution upside down, and then demand the acquiescence not only of private citizens, but of all public authorities. Recourse to an amendment, by implication, confirms the power and encourages perpetuation of the evil.

Let the Congress, rather, employ the simple expedient of a resolution affirming its own understanding of the establishment clause, and encouraging States that share its views to deal with religion thenceforth in accordance with that understanding. The Congress and the States on one side, in other words; the Court and—for a while probably—the executive on the other. The confrontation would not have seemed strange to the authors of the *Federalist*. Does anyone doubt who would win?

VINELAND TRAINING SCHOOL

Mr. CASE. Mr. President, my colleagues will recall that I have again this year introduced a bill, S. 1090, which would authorize the disposal of Ellis Island for use by the training school at

¹ The Virginia arrangement was, incidentally, a far cry from the Supreme Court's complete and permanent separation of the spheres of religious activity and civil authority. Religious instruction in the State university was, for example, earnestly promoted by Jefferson.

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Vineland, N.J. Earlier in the session I testified in the Senate Subcommittee on Intergovernmental Relations to urge action on the bill.

Mental illness and retardation seriously impair the progress of our Nation. Increasing awareness of the need to deal with these problems is evident in the special message to Congress this year by the President of the United States requesting for the first time major Federal participation in the expansion of diagnostic, and other facilities of the very same type proposed by the Vineland School for the Retarded.

This school is an internationally recognized private institution, willing to pay the Government for the privilege of taking Ellis Island off its hands. The Vineland School for the Retarded was a forerunner in the fields of research and in training the mentally handicapped. Today the school is in the forefront as a demonstration center which annually receives more than 5,000 visitors to observe in action both new and well-established techniques.

To those concerned with the symbolic value of Ellis Island, there could be no more exciting prospect than that the historic gateway to freedom in the New World be rededicated to a new and perhaps even more dramatic gateway to freedom—the freedom of the large numbers of mentally retarded individuals in our population from the handicaps of total dependence, the persecution of prejudice, and the lack of opportunity to achieve their maximum potentials within the limited endowment accorded them.

I ask unanimous consent to include in the Record two newspaper articles, one from the July 7, 1963, edition of the Newark Sunday News and another from the July 3, 1963, edition of the Newark Star-Ledger, which also appeared in the Plainfield Courier News. These articles describe the history and the admirable accomplishments of the Vineland School for the Retarded.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Newark Star-Ledger, July 3, 1963]

TYING THEIR OWN LACES BIG JOB AT VINELAND

Kenny, a 10-year-old with a crewcut that needed trimming, laboriously tied the laces of his scuffed shoe, deliberating briefly before attempting each move. As the bow on each shoe was put in place, the knot was pulled firm. When the job was completed, Kenny lifted his head and a broad smile broke out on his round face.

Mastering the simple operation of tying his shoelaces was a major accomplishment for Kenny because more than a year of training had gone into the task.

The long training was necessary because Kenny, on the verge chronologically of entering his teenage years, has the mental capacity of a 4-year-old.

Tying his shoes will be only one of things he will be taught at the training school at Vineland, where he is a student.

FOUNDED IN 1888

The school is a private, nonprofit, international research and demonstration center founded in 1888 for the diagnosis, treatment, education, and care of mentally retarded children and adults.

It was founded by the Reverend S. Olin Garrison, who dreamed of a small village

that could serve as a community for feeble-minded children.

Professor Garrison's hope also was that "the institution will be second to none in furnishing scientific, medical, and other original data which will greatly promote etiological and sociological studies."

Today the school, which began with 7 mentally retarded children in a donated house, has grown and expanded into a 1,600-acre complex with 90 buildings, 20 cottages, 4 schoolbuildings, a greenhouse, vocational shops, farming areas, and a 50-acre lake.

THREE HUNDRED AND FIFTY STUDENTS

It presently takes care of 350 private students with a staff of 250.

The training school has had only 3 directors in its 75 years of existence—Garrison, until his death in 1900; Edward Ransom Johnstone, who died in 1945; and the present director, Dr. Walter Jacob.

"Our goal," said Dr. Jacob in a recent interview, "is to train youngsters to total living, to be as self-sufficient as possible in the outside world; so there is not too much emphasis on book learning.

"We would like them to be able to read books a little more advanced, but it is even more important to us that they be able to tell time and to have a sense of responsibility to personal hygiene, to count change, and understand traffic signals.

"Second only to the youngster's happiness is our striving to instill the greatest possible measure of self-sufficiency. This is a matter of very concentrated effort with the individual child."

[From the Newark Sunday News, July 7, 1963]

"LITTLE CORNER" BOON TO WORLD

(By Marylyn Loprete)

VINELAND.—"From this one little corner of Vineland, the entire world has benefited."

An oil company in this New Jersey borough of 10,000, recently extended that congratulatory message to the training school at Vineland, one of the largest private institutions for the mentally retarded in the world, on the occasion of the school's 75th anniversary.

The message sums up what the fourth oldest school of its kind in the country has accomplished during its lifetime. It has served as a leader in the care and training of the mentally retarded, but most of all it has been the nonprofit center for some of the most important scientific research on the causes and classification of mental retardation.

Founded in 1888 by Rev. S. Olin Garrison, a Methodist minister, it was located in a single house on a 40-acre tract of land. Five boys and two girls were cared for during the first year.

Today 160 well-kept acres, looking much more like a college campus than an institution, surround the original landmark. The school also includes a 1,400-acre farm colony which produces practically everything, except meat needed in its operation. From one building it has grown to a 90-building complex, including a chapel, and a greenhouse.

There are presently 350 mentally retarded persons from 2 to 88 years old being cared for by a staff of 250.

The school maintains a battery of specialists who work with the children in developing their character. There are nurses, doctors, physical and speech therapists, a psychiatrist and psychologists. Drug medication is used on about 150 of the inhabitants, who display serious behavior disorders, the aim being to take the children off medication as soon as it is feasible.

The most significant contribution, however, has been centered in the laboratory. The first to open a research lab in mental retardation, Vineland has served as a pioneer in demonstrating techniques to experts in the field all over the world.

In the first decade of the 20th century, under the auspices of Dr. H. H. Goddard, a

leading educational psychologist, the first standardized IQ test, the Binet-Simon, was promulgated throughout the country. Through a later study of a family of "feeble-minded" persons Dr. Goddard pinpointed the hereditary aspects of certain types of retardation.

At a historical meeting of psychologists at the school in 1912, the first Army intelligence tests, which later influenced school and occupational testing were drafted.

During the twenties, Dr. Edgar A. Doll, then head of research experimented and found evidence that brain injuries were another cause of mental deficiency. Dr. Doll's most important contribution came in 1935 when he published a new mental test, the Vineland Social Maturity Scale.

The curriculum and activity program for the retarded considered one of the best in the world operates on a year-round basis. Classroom schooling usually runs to about the sixth grade level. The next step is vocational with training given in printing, farming methods, woodworking and other fields.

Vineland was the first to set up the cottage system of care where a family-like atmosphere is aimed for and students are supervised by houseparents. Most of the better institutions for handicapped persons of all types have copied the cottage system. Resident care costs \$4,500 annually per person.

An applicant for the school is given 3 months of observation, testing, and diagnosis before being considered for admittance. Cost for the comprehensive diagnostic period is \$500.

There is also a summer program for 9 weeks, at a cost of \$85 per week, that is open to the public. During this period, parents and staff members can test out the child's reaction to institutional living as a preliminary to more permanent care.

Many of the school's older children and adults work on the farm, called Menantico, whose dairy herd is rated as one of the 10 best in the country. A thousand quarts of milk and 5,000 eggs are produced daily.

The school has accomplished much of its work through the efforts of its dedicated board of trustees, which is composed of prominent citizens from all over the Northeast. Pearl Buck, author, is president.

Dr. Walter Jacob, formerly an education administrator in several north Jersey schools, has been director since 1946. He succeeded the late Edward R. Johnstone, for whom a State school for the emotionally disturbed child has been named.

Dr. Jacob organized an active parent group called "Parents Incorporated," which raised funds and constructed a canteen for the children. He has also helped stabilize the financial situation at the school, which currently operates on a \$1 million annual budget.

It was Miss Buck who presented future hopes of the school to a congressional committee brought together to consider proposals of institutions and individuals as to the use of Ellis Island in New York Harbor. The training school would like to make the island an international diagnostic center for the care and treatment of mental retardation.

Even if the plans for Ellis Island fall, however, the training school will continue its efforts in the field of research with the establishment of a new biochemical laboratory announced in December. The lab presently under construction is being supported by Federal grants and an award from the Pfeiffer Research Foundation of New York.

Little Corner UKRAINIAN JEWISH RELATIONS

MR. CASE. Mr. President, thousands of men and women in places throughout the world are devoting their lives to the task of bringing justice and understand-

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ing between people of different racial and ethnic backgrounds. Some of these wise and good people have received wide recognition for their work. Others have received moderate praise. Some have gone unrecognized.

One man has recently received belated recognition of his successful efforts to prevent a pogrom in the Ukrainian village of Chmelnyk during August 1919. He is the Reverend Dr. Vladimir Kiodnycky, who was then a Ukrainian artillery officer and who for the past 23 years has been pastor of the Holy Ascension Church in Newark, N.J.

I ask unanimous consent to have inserted in the CONGRESSIONAL RECORD this article from the bulletin of the Ukrainian Orthodox League of America. It is based on a Radio Freedom broadcast which was beamed throughout Eastern Europe, telling of the incident and of Rev. Kiodnycky's efforts to pacify and arouse a hostile population. I wish to draw particular attention to the remarks of Mr. Joseph Lichten at a B'nai B'rith banquet held to honor Reverend Kiodnycky for his heroism, and for his great service to the Jewish people.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UKRAINIAN-JEWISH RELATIONS

An event which will have a bright place in the history of not always happy Ukrainian-Jewish relations took place on April 10, 1962 in Newark, N.J., a city close to New York. Vladimir Stepanovich Kiodnycky, onetime officer of the Ukrainian National Republic Army, had conferred upon him an impressive honor by the Jewish organization B'nai B'rith at its annual congress. This organization is known throughout the entire world.

The banquet was attended by more than 200 Jewish leaders and about 50 Ukrainian guests, among them former Minister of Finance of the Ukrainian National Republic, Prof. Boris Martos, who occupied a place in the honorary presidium. Vladimir Kiodnycky received an ovation and had presented to him an honorary certificate-scroll in recognition of the fact that 43 years ago he saved the lives of 15,000 Jews in the city of Chmelnyk in Vinnitsia region.

The historic event was described in detail at the Congress by Joseph Lichten, one of the noted leaders of American Jewry. It happened in August 1919. The daughter of a Jew in Chmelnyk married a Ukrainian from a neighboring village. The father of the girl, angry because his daughter had forsaken her faith and also because she and her husband had removed some family possessions from his house, set fire at night to the house of his undesirable son-in-law. This relatively small evil grew into a great evil. The fire spread to other houses, and in a few hours the whole village was razed. At this time anarchy raged in the territory and occasionally pogroms occurred, provoked by transient bands. The Jews of Chmelnyk feared revenge and a pogrom. It so happened that right after the burning of the village, a market day or fair took place in Chmelnyk. Many people arrived with weapons to take revenge on the Jewish population of Chmelnyk.

The lives of 15,000 Jewish inhabitants hung on a hair. Fortunately, a detachment of the Ukrainian National Republic Army arrived in Chmelnyk at this time. Maj. Vladimir Stepanovich Kiodnycky was its commander. Kiodnycky had his detachment arrayed in formation on the principal street, and he went up onto a balcony in the city admin-

istration building and spoke to the aroused villagers as follows:

"Those of you, dear brothers, who build their own homes must certainly have made the sign of the cross upon themselves and sprinkled the foundation with holy water. So, also, enslaved Ukraine has summoned us all—together with you—to build our own national house, our Ukrainian state. And now you want to sprinkle the foundation of our Ukrainian state with the blood of Jews. This thought of yours is sinful. We are building our Ukrainian state upon law and order and not upon mob rule or highhandedness."

This was a brave act on the part of an officer of the Ukrainian National Republic Army, Kiodnycky, because the throng was furious and he could have been felled with a single shot. However, the courageous and noble words of this soldier of the Ukrainian National Republic Army sobered the mob and the people quietly dispersed. The next day a delegation from the Jews, with Rabbi Bilyk at its head, thanked Officer Kiodnycky and proposed in gratitude a gift for him of 200,000 karbovantsi. Kiodnycky however, declined the gift; instead he influenced the more prosperous Jews to aid their less fortunate brothers. Ukrainians and Jews, together with the soldiers of the garrison of the Ukrainian Army commanded by Kiodnycky settled amicably the economic and civic affairs of Chmelnyk and the village which had suffered the conflagration.

After relating the episode at the congress of the Jewish organization in America, Joseph Lichten said:

"Volumes have been written about pogroms in the Ukraine during the revolution. However, it seems to be easier to collect data about evil rather than facts about good. Major Kiodnycky, after Ukraine was occupied by the Bolsheviks, was forced to emigrate to America. He lived here 37 years, serving as priest in the local (Newark) Ukrainian Orthodox Church. After being a Ukrainian commander and soldier, he became a Ukrainian pastor of souls. It is regrettable that so noble a flower was uprooted from its soil and cannot send its roots into his native Ukraine. We honor today this man" continued Lichten "for his dedication to God, humanity and his country. May God grant that there be many more such men among Christians and Jews."

The presentation of the scroll was in an atmosphere of great uplift and ovation. All present rose and paid honor to the recipient. Some were so moved that they wept.

This event at the congress of the leading Jewish organization in America testifies to the fact that among the influential leaders of Jewry, as well as Ukrainians, there are elements who actively work for the improvement of Ukrainian-Jewish relations.

The enslavers of Ukraine made her territory for many centuries a zone of Jewish settlement and at the same time they inflamed the feelings between Ukrainians and Jews in order to divert from themselves the anger of the people.

Civic and intellectual-scientific elements in America are working to improve Ukrainian-Jewish relations. A scientific commission of the Ukrainian Free Academy of Sciences in U.S.A. is conducting research of the history of Ukrainian-Jewish relations. Jewish intellectuals also take part in the work of this commission.

Delivered and subscribed by:
YURIJ HAJDAR.

PORTSMOUTH CLIPPER SHIPS AND THE NAVY YARD

Mr. McINTYRE. Mr. President, I recently read in the Littleton (N.H.) Courier an interesting article written by

an eighth-grade student from Littleton, N.H., who took part in the annual DAR national essay contest.

This article points out the important role that the Portsmouth Naval Shipyard has played in our country's history from the development of the clipper ships to its present role in providing for our Nation's defense by its building and repairing of submarines.

Mr. President, I wish to share this essay with my colleagues to remind them of the most important role that New Hampshire plays in our Nation's defense.

Mr. President, I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PORTSMOUTH CLIPPER SHIPS AND NAVY YARD

(By Delight Wing)

In the 1820's, a new type of ship known as the clipper ship was developed in Chesapeake Bay. The ships were very valuable to our country's trade, for on a given day, a clipper ship could outsail any ship on the sea, thus being able to reach port ahead of foreign trading vessels.

The clipper ships constructed in Portsmouth usually had very slender hulls, three masts, and square sails. The slender hull was the only disadvantage of the clipper ships, for although it enabled the ship to travel faster, it did not allow much room in which to store cargo.

Plans for the building of clipper ships in Portsmouth were taken from Donald McKay, who lived in Boston. His second built clipper ship *Lightning* was the basis of plans used by Portsmouth shipbuilders.

Shipbuilding was an easy prospect in Portsmouth, for the Piscataqua River made an excellent harbor, and all around the bay lay fine quality timber. There was also a large merchant class in Portsmouth, for ships had been built there before the clipper came along. The clipper ships of Portsmouth were built mainly by privately owned shipbuilding companies.

After the opium war, Portsmouth harbored many ships owned by Chinese dealers. The clipper ships produced by Portsmouth builders were sailed immediately to the China side, and there mated and supplied to become "opium clippers" which sailed between New York and Lintin, China.

Portsmouth was not used very much as a Government trading port. However, clipper ships produced in Portsmouth became some of the country's fastest and most used trading vessels. New York and Boston ports were the trade centers, and clippers built in Portsmouth that were not sent to the China side were sailed to New York or Boston to be loaded with cargo.

New Hampshire gained more interest and became more important through the value of Portsmouth clipper ships. Merchants from over New England and New York traveled to Portsmouth to aid the industry; workers traveled to New Hampshire in hopes of landing a job on one of the trading clippers.

Yet in the 1850's the clipper ship need was dying out. Foreign countries were producing steamships which could travel twice as fast as clipper ships. Also, the Suez Canal was a great threat to clipper ship prosperity, for steamships could make the passage with greater regularity, more cargo, and lower rates. However, even though other countries had faster ships, U.S. ports still continued to build clipper ships for quite a while.

Finally, in the 1860's the United States began to develop the steamboat for trading purposes. What with the rise of the steam-

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boat, and the increased development of Massachusetts ports, the port of Portsmouth gradually died out. Portsmouth's shipbuilding industries and use of the harbor declined so that finally none existed at all. This condition continued until the establishment of a U.S. Navy Yard at Portsmouth.

Today the navy yard is the backbone of modern Portsmouth. The navy yard is devoted mainly to the building of submarines, and the repairing of battleships. In 1938, 8,000 men were employed at the navy yard, for the purpose of building submarines and repairing battleships. Including all workers, in 1938, the yard employed a total of 5,000. Its facilities for the work it performs include: a stone drydock, of size large enough to take battleships of 23,000 tons, a fitting out basin to accommodate 10 submarines at a time, and berthing space for 100 submarines, plus needed technical equipment. The yard also includes a naval hospital, and naval prison.

The navy yard had first been "federalized" in 1815, when the first Federal ship, the *Washington* was launched. (At that time the yard was situated on Dennett's Island.) Federal interest dwindled until the late 1860's when equipment was added to the yard, and was considered officially as a U.S. naval yard.

At the close of the Russo-Japanese War, when the countries were negotiating for peace, President Theodore Roosevelt chose the yard for the meeting of the council that would discuss terms of peace. The treaty of Portsmouth was signed here on September 5, 1905.

The interest in submarine building at the yard came shortly after World War I broke out. The Navy Department decided on Portsmouth, as where they would construct the first Government-made submarine. The submarine was begun on November 2, 1914, and completed May 25, 1918. This was the first of the long line of submarines built in Portsmouth.

In the early 1850's, New Hampshire played a part in the country's being, with the Portsmouth clipper ships. Today, the naval yard at Portsmouth is important to the United States. No matter how small, New Hampshire has, and does, contribute something of importance to the United States.

TRIBUTE TO MILDRED McAFFEE HORTON

Mr. MCINTYRE. Mr. President, the named Mildred McAfee Horton is well known in this Nation. Mrs. Horton, who lives in Randolph, N.H., is a former president of Wellesley College. She was the first head of the Waves, and is vice president of the United Church Board for World Ministry. Earlier this year, she was a delegate to the 12th General Council of UNESCO in Paris.

Now Mrs. Horton has been selected by the President as cochairman of the National Women's Committee on Civil Rights. I applaud this choice for I am certain that Mrs. Horton will, with her boundless energy and broad experience, make many valuable contributions in the important area of civil rights.

Mr. President, I ask unanimous consent that an article from the Washington Post, in which Mrs. Horton expresses some of her thoughts on her new position, be inserted in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MILDRED HORTON'S AT HELM

Mildred McAfee Horton, former president of Wellesley College, who was picked by President Kennedy to serve as chairman of women leaders, working for civil rights, is glad to be in the battle for racial equality again.

"I have been very interested in solving racial problems," she said yesterday and added that she was "very happy that the military services were integrated while she was head of the Waves."

She returned to her home in Randolph, N.H., yesterday, determined to do all she can for the newly formed National Women's Committee on Civil Rights, of which she is cochairman.

Since she retired from the presidency of Wellesley in 1948, she has been "concentrating on my hobby of keeping house and enjoying my 13 grandchildren," she said yesterday.

But a look at the roster of positions she holds shows she has been busy in the fields of religion and education, too.

She is a vice president of the United Church Board for World Ministry; chairman of the board of Pierce College in Athens, Greece, and on the board of directors of both the Danforth Foundation (an educational foundation) and the Fund for the Advancement of Education (a Ford Foundation subsidiary).

Earlier this year she served as a U.S. delegate to the 12th general council of UNESCO in Paris. This was while her husband, Dr. Douglas Horton, retired dean of the Harvard Divinity School, was serving as a Protestant observer at the Ecumenical Council called by the late Pope John XXIII.

Mrs. Horton said she will be "out of the country all fall" because she is going to Rome with her husband while he is a Protestant observer at the forthcoming Vatican Council.

Mrs. Horton and her husband live in what they call "the oldest house in New Hampshire." Actually, she explained, it is only 40 years old, but one board came from her husband's family home on Long Island that was built in 1640. "We have it over the fireplace in the dining room," she said of the antique board.

Both of them have many, many friends who find their way to the New Hampshire retirement home, and "our family is always tripping in and out," she said.

Now freed from their professional ties, the Hortons travel a great deal. The sparkling-eyed Mrs. Horton said "one of my pleasures is that everywhere I go in the United States and the world, I turn up someone from the Navy and Wellesley."

Many honors have been bestowed on her over the years and she wears them gracefully, with an air of modesty that belies her outstanding achievements.

Mrs. Horton was very pleased at the response of the women leaders to the President's civil rights program. "I was pleased by the fact that so many women were stimulated to be more active than ever before. I hope they will stimulate other people across the country," she said.

She added that "if everyone could see the caliber of Negro women we have in this country who were represented at that conference they'd see how absurd it is to limit their opportunities."

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

ORDER OF BUSINESS

Mr. STENNIS obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from Mississippi yield to me without losing his right to the floor?

Mr. STENNIS. Mr. President, I ask unanimous consent that I may yield to the Senator from Montana without losing my right to the floor.

The PRESIDENT pro tempore. Is there objection to the request by the Senator from Mississippi? The Chair hears none, and it is so ordered.

AMENDMENT OF LEAD-ZINC SMALL PRODUCERS STABILIZATION ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business may be laid before the Senate and made the pending business.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

There being no objection the Senate resumed the consideration of the bill (H.R. 3845) to amend the Lead-Zinc Small Producers Stabilization Act of October 3, 1961 (75 Stat. 766).

U.S. PARTICIPATION IN INTERNATIONAL BUREAU FOR THE PROTECTION OF INDUSTRIAL PROPERTY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be discharged from the further consideration of House Joint Resolution 405, to amend the joint resolution providing for U.S. participation in the International Bureau for the Protection of Industrial Property.

The PRESIDENT pro tempore. Is there objection to the request by the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of House Joint Resolution 405.

The PRESIDENT pro tempore. The joint resolution will be stated by title for the information of the Senate.

THE LEGISLATIVE CLERK. A joint resolution (H.J. Res. 405) to amend the joint resolution providing for U.S. participation in the International Bureau for the Protection of Industrial Property.

Mr. MANSFIELD. Mr. President, for the information of Senators, I wish to state that this resolution is identical to Senate Joint Resolution 64, which the Senate passed on July 9.

The PRESIDENT pro tempore. Is there objection to the request by the Senator from Montana?

There being no objection, the Senate proceeded to consider the joint resolution (H.J. Res. 405) which was ordered to a third reading, read the third time, and passed.

CONVEYANCE OF CERTAIN LANDS TO HENDERSON, NEV.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business may be temporarily laid aside and that the Senate may proceed to the consideration of Calendar No. 318, H.R. 2461.